

Yvette Davis (Bar No. 165777)
ydavis@hbblaw.com
Arezoo Jamshidi (Bar No. 284220)
ajamshidi@hbblaw.com
Jeffrey Kirwin (Bar No. 345781)
jkirwin@hbblaw.com
HAIGHT BROWN & BONESTEEL LLP
edocs@hbblaw.com
2030 Main Street, Suite 1525
Irvine, California 92614
Telephone: 714.426.4600
Facsimile: 714.754.0826

Attorneys for Defendants THE GUILD LAW SCHOOL DBA
PEOPLE'S COLLEGE OF LAW, JOSHUA GILLENS,
WILLIAM MAESTAS, BOARD OF DIRECTORS FOR THE
PEOPLE'S COLLEGE OF LAW, CHRISTINA MARIN
GONZALEZ; ROGER ARAMAYO; ISMAIL VENEGAS;
CLEMENTE FRANCO; HECTOR PENA; PASCUAL
TORRES; CAROL DEUPREE; JESSICA VIRAMONTES;
JUAN SARINANA; ADRIANA ZUNIGA; PREM SARIN;
DAVID BOUFFARD; and HECTOR SANCHEZ

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

TODD R. G. HILL,
Plaintiff,

v.

THE BOARD OF DIRECTORS,
OFFICERS AND AGENTS AND
INDIVIDUALS OF THE PEOPLES
COLLEGE OF LAW; et al.

Defendants.

Case No. 2:23-cv-01298-CV-BFMx

**OPPOSITION TO PLAINTIFF'S
REQUEST FOR JUDICIAL NOTICE
OF THE CALIFORNIA STATE
AUDITOR'S REPORT (2024-030)**

Judge: Josephine L. Staton
Magistrate: Brianna Fuller Mircheff

TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR
ATTORNEYS OF RECORD:

COMES NOW the Defendants COMES NOW the Defendants THE GUILD
LAW SCHOOL DBA PEOPLE'S COLLEGE OF LAW, JOSHUA GILLENS,
WILLIAM MAESTAS, BOARD OF DIRECTORS FOR THE PEOPLE'S
COLLEGE OF LAW, CHRISTINA MARIN GONZALEZ; ROGER ARAMAYO;

1 ISMAIL VENEGAS; CLEMENTE FRANCO; HECTOR PENA; PASCUAL
2 TORRES; CAROL DEUPREE; JESSICA VIRAMONTES; JUAN SARINANA;
3 ADRIANA ZUNIGA; PREM SARIN; DAVID BOUFFARD; and HECTOR
4 SANCHEZ (hereinafter collectively referred to as “Defendants”) submit the
5 following Opposition to Plaintiff’s Request for Judicial Notice of The California
6 State Auditor’s Report.

7
8 DATED: March 27, 2025

HAIGHT BROWN & BONESTEEL LLP

9
10 By: /s/ Jeffrey Kirwin

11 Yvette Davis

12 Arezoo Jamshidi

13 Jeffrey Kirwin

14 Attorneys for Defendants THE GUILD

15 LAW SCHOOL DBA PEOPLE’S

16 COLLEGE OF LAW, JOSHUA

17 GILLENS, WILLIAM MAESTAS,

18 BOARD OF DIRECTORS FOR THE

19 PEOPLE’S COLLEGE OF LAW,

20 CHRISTINA MARIN GONZALEZ;

21 ROGER ARAMAYO; ISMAIL

22 VENEGAS; CLEMENTE FRANCO;

23 HECTOR PENA; PASCUAL TORRES;

24 CAROL DEUPREE; JESSICA

25 VIRAMONTES; JUAN SARINANA;

26 ADRIANA ZUNIGA; PREM SARIN;

27 DAVID BOUFFARD; and HECTOR

28 SANCHEZ

MEMORANDUM OF POINTS AND AUTHORITIES

I. Introduction

Plaintiff Todd Hill’s (“Plaintiff”) request for judicial notice seeks the Court to notice the state auditors report attached to Plaintiff’s motion. The request also appears to request the Court to notice how the report substantiates Plaintiff’s claims made in his various Complaints. Plaintiff’s use of the report to support his claims is exemplified by the following statements made in his motion:

- The report supports Plaintiff’s negligence and equal protection claims as it suggests that systemic financial instability weakened enforcement, enabling unchecked misconduct at PCL (Plaintiff’s Motion at 5:18-21, 8:18-21);
- Plaintiff alleges that the State Bar failed to act against known misconduct at PCL, contributing to harm (Plaintiff’s Motion at 6:6-9);
- The report further bolsters Plaintiff’s assertion that students at PCL were subjected to unfair financial burdens without receiving the intended oversight protections (9:19-24).

Moreover, Plaintiff’s request is unclear as to whether he is seeking the Court to notice the auditor’s report exists or whether the findings contained therein are true. Defendants dispute the request for judicial notice as Plaintiff is seeking the court to notice the statements made in the report are true and that the report substantiates, proves, or in any way supports the claims Plaintiff has made in the instant matter.

II. Legal Standard for Judicial Notice

The Federal Rules of Evidence (“FRE”) provide that “may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court’s territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. Rule 201(b). Under Fed. R. Evid. Rule 201(a), only “adjudicative” facts may

Haight

1 be judicially noticed. An “adjudicative” fact is one that concerns the immediate
2 parties: “who did what, where, when, how, and with what motive or intent...” *U.S.*
3 *v. Gould*, 536 F.2d 216, 219 (8th Cir. 1976). The Court “must take judicial notice if
4 a party requests it and the court is supplied with the necessary information.” Fed. R.
5 Evid. 201(c)(2). The Court cannot take judicial notice of a fact that is subject to
6 reasonable dispute. *Lee v. City of L.A.*, F.3d 668, 689 (9th Cir. 2001).

7 While adjudicative facts may be noticed under certain circumstances, it is
8 important to note that “[b]ecause the effect of judicial notice is to deprive a party of
9 the opportunity to use rebuttal evidence, cross-examination, and argument to attack
10 contrary evidence, caution must be used in determining that a fact is beyond
11 controversy under Rule 201(b).” *Int’l Star Class Yacht Racing Ass’n v. Tommy*
12 *Hilfiger U.S.A., Inc.*, 146 F.3d 66, 70 (2d Cir. 1998). Thus, “A high degree of
13 indisputability is an essential prerequisite for adjudicative facts to be judicially
14 noticed... Or, if not generally known, the matter may be beyond controversy
15 because verifiable from sources of such nature as to eliminate reasonable dispute.” 2
16 Handbook of Fed. Evid. § 201:1 (9th ed.). Moreover, “[w]hat is the part of essence
17 of the controversy between the parties in this case is not a proper subject for judicial
18 notice.” *Von Grabe v. Sprint PCS*, 312 F.Supp.2d 1285, 1312 (S.D. Cal. 2003).
19 Additionally, facts capable of being noticed must still be admissible under the rules
20 of evidence. *See United States v. Jackson*, 208 F.3d 633, 638 (7th Cir. 2000).

21 Further, “[c]ourts do not take notice of documents, they take judicial notice of
22 facts. The existence of a document could be such a fact, but only if the other
23 requirements of Rule 201 are met.” *Cruz v. Specialized Loan, Servicing LLC*, No.
24 SACV 22-01610-CJC (JDEx), 2022 WL 18228277, at 2 (C.D. Cal. Oct. 24, 2022).
25 Courts may notice documents made available by a government entity, but it may not
26 take judicial notice of factual findings stated in the documents. *See M/V Am. Queen*
27 *v. San Diego Marine Const. Corp.*, 708 F.2d 1483, 1491 (9th Cir. 1983).

28 ///

III. Plaintiff's Request for Judicial Notice Must be Denied

Plaintiff's request for judicial notice does not merely ask the Court to notice the document made available by the State Bar. Plaintiff, instead, seeks the Court to notice the statements made in the report as true. Moreover, Plaintiff's motion requests to have the Court notice Plaintiff's interpretation and application of the report to the instant matter. For example, Plaintiff's motion states "[s]pecifically, the Auditor's findings confirm the following key issues that support Plaintiff's claims." (Plaintiff's Motion at 5:8-9.) The motion goes onto state the report proves and/or supports Plaintiff's contentions at various portions, including the portions cited at 8:18-21, 6:6-9, and 9:19-24. The contentions the motion seeks to support are at the center of the present dispute. Per *Von Grabe v. Sprint PCS*, such matters are not the proper subject of judicial notice. Thus, Plaintiff's motion must be denied as it seeks to notice statements in the report as true and the motion attempts to notice support for Plaintiff's claims which are at the heart of the dispute. *M/V Am. Queen*, 708 F.2d at 1491; *Von Grabe*, 312 F.Supp.2d at 1312.

Plaintiff's motion also must be denied because the alleged facts are subject to reasonable dispute. Specifically, Plaintiff's contentions that the report supports his claims are not supported by the auditor's report. In fact, the Peoples College of Law is not mentioned anywhere in the report and the report does not apply the deficiencies examined therein to any of the Defendants. Thus, the alleged facts are neither generally known in this Court's jurisdiction or can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. Fed. R. Evid. Rule 201.

///

///

///

///

///

IV. Conclusion

Based on the foregoing, Defendants respectfully request the Court to deny Plaintiff's Request for Judicial Notice of the California State Auditor's Report.

DATED: March 27, 2025

HAIGHT BROWN & BONESTEEL LLP

By: /s/ Jeffrey Kirwin

Yvette Davis

Arezoo Jamshidi

Jeffrey Kirwin

Attorneys for Defendants THE GUILD

LAW SCHOOL DBA PEOPLE'S

COLLEGE OF LAW, JOSHUA

GILLENS, WILLIAM MAESTAS,

BOARD OF DIRECTORS FOR THE

PEOPLE'S COLLEGE OF LAW,

CHRISTINA MARIN GONZALEZ;

ROGER ARAMAYO; ISMAIL

VENEGAS; CLEMENTE FRANCO;

HECTOR PENA; PASCUAL TORRES;

CAROL DEUPREE; JESSICA

VIRAMONTES; JUAN SARINANA;

ADRIANA ZUNIGA; PREM SARIN;

DAVID BOUFFARD; and HECTOR

SANCHEZ

PROOF OF SERVICE

Hill v. The Board of Directors, Officers, et al.

Case No. 2:23-cv-01298-JLS-CFM

STATE OF CALIFORNIA, COUNTY OF ORANGE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 2030 Main Street, Suite 1525, Irvine, CA 92614.

On March 27, 2025, I served true copies of the following document(s) described as **OPPOSITION TO PLAINTIFF'S REQUEST FOR JUDICIAL NOTICE OF THE CALIFORNIA STATE AUDITOR'S REPORT (2024-030)** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 27, 2025, at Irvine, California.

/s/ Cindy Mulder
Cindy Mulder

SERVICE LIST
Hill v. The Board of Directors, Officers, et al.
Case No. 2:23-cv-01298-JLS-CFM

Todd R. G. Hill
41459 Almond Avenue
Quartz Hill, CA 93551

PRO SE

Email: toddryangregoryhill@gmail.com

Robert Ira Spiro
Spiro Law Corp
10573 West Pico Boulevard No 865
Los Angeles, CA 90064

Attorney for Robert Ira Spiro

Email: ira@spirolawcorp.com

Jean Roche Krasilnikoff
The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

Attorney for Defendants Suzanne Celia
Grandt, Vanessa Holton, et al.

Email: Jean.Krasilnikoff@calbar.ca.gov

Haight